

IN THE UNITED STATES DISTRICT COURT FOR RECEIVED
THE MIDDLE DISTRICT OF ALABAMA

2006 JAN -4 A 9:39

2006 JAN -4 A 9:37

RECEIVED
U.S. DISTRICT COURT
THE MIDDLE DISTRICT OF ALABAMA
Full name and prison number
of plaintiff(s)

v.

W. Stanley Garner Jr.

RECEIVED
U.S. DISTRICT COURT
THE MIDDLE DISTRICT OF ALABAMA
CIVIL ACTION NO. 1:06cv11-F
(To be supplied by Clerk of
U.S. District Court)

Name of person(s) who violated
your constitutional rights.
(List the names of all the
persons.)

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? YES () NO ()

B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES () NO ()

C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) Timmy T. Harris No 1:05-CV-1077-T

Timmy Terrell Harris No 1:05-CV-1187-T

Defendant(s) Hal Cox et al 1:05-CV-1077-T

Kenny Latham et al No 1:05-CV-1187-T

2. Court (if federal court, name the district; if state court, name the county) THE MIDDLE DISTRICT
of Alabama

3. Docket number Civil Action 1:05-cv-1187-T 3 1D77-T

4. Name of judge to whom case was assigned _____

5. Disposition (for example: Was the case dismissed?
Was it appealed? Is it still pending?) _____

Both still pending

6. Approximate date of filing lawsuit Both unknown

7. Approximate date of disposition Unknown

II. PLACE OF PRESENT CONFINEMENT Dale County Jail

P.D Box 279 Ozark Alabama 36361

PLACE OR INSTITUTION WHERE INCIDENT OCCURRED N/A

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

NAME

ADDRESS

1. W. Stanley Garner Jr. P.D Box 67 Ozark, Alabama 36361

2. _____

3. _____

4. _____

5. _____

6. _____

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED November 29 thru 30th
2005

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: Detention

"Denial of Right to a Fair Trial"

On the Date of November 29, 2005 Approximately one day before my scheduled Preliminary Hearing (see exhibit "A") W. Stanley Garner met with me the Complainant in his Advisory capacity. He was asked to get a copy of my Driver License for potential evidentiary purposes (See exhibit "B") on my behalf and nothing else. On November 30, 2005 I went to the hearing and Upon W. Stanley Garner's Arrival I was presented with my Discovery material, In this material was a correspondence document stating that the District Attorney's Office had somehow came into posession of a "RAP Sheet" the only problem was that it was for Law Enforcement Officers only : but I could request this Document for my viewing if I would request it via Court Order. Being totally involved in my hearing I requested this document without fully understanding that this document would ~~not~~ not be used to my benefit, in fact it would give a case with no Physical evidence nor eyewitness's some "leverage" as to character impeachment or Possibly seeking of enhancement of a Lesser felony, Thusfar guaranteeing a conviction or raising the Plea offer to 15 years or more for a borderline Misdemeanor charge such as what I'm being charged with.

Charles W. Stan Garner used his knowledge and resources to access the Florida inmate information systems to look into my personal information in a attempt to use it to Incriminate me or to use as some kind of leverage to avoid having to assist me in taking a case with so little evidence knowing that I could surely stand a great chance of Prevailing. In Addition showing me that he does not want me to represent myself; but wants to do it himself as to discourage any other Potential Pre Trial Detainee's from following my pattern.

W. Stanley Garner Jr actions warranted a complaint promptly filed via Alabama State Bar on Dec 3-4 2005. In this complaint I sent the original correspondence because the Dale County Jail refuse to give inmates copies of legal documents even if they are proceeding Pro'se. In Exhibit "C" You will see that I requested a copy of the Court ordered "Rap Sheet"; but was told to contact the District Attorneys Office.

In Exhibit "D" You will see that the request was answered; but no such Document was released.

In Exhibit "E" I requested W. Stanley Garner be terminated from My case because of his actions. My Motion was Denied on Dec 12, 2005 by Judge McLaughlin; But only

Later he accepted a Motion to withdraw from W. Stanley Garner (see exhibit "F")

I have exhausted every effort possible to get this document. If I had not of knew about the LAW W. Stanley Garner would have placed me in a very serious situation all while he acted as my advisor.

Thus far Denying me the right to a fair Trial. This information is still in his possession and he has denied me an opportunity to further my defense. Thus more I can surely expect to have a very negative chance of prevailing in my legal case.

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU.
MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

IF THIS CASE IS ACCEPTED I ASK THAT THE STATE
COURT GRANT ME A DECLARATORY JUDGMENT OF
\$100,000.00 and Compensatory Damages for Mental Anguish
& 20,000.00

Jimmie Harris
Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on Jan 2, 2006.
(Date)

Jimmie Harris
Signature of plaintiff(s)